

## 2005 DRAFTING REQUEST

### Senate Substitute Amendment (SSA-SB606)

Received: 03/08/2006

Received By: gmalaise

Wanted: Today

Identical to LRB:

For: Mary Lazich (608) 266-5400

By/Representing: Paul Beard

This file may be shown to any legislator: NO

Drafter: gmalaise

May Contact:

Addl. Drafters:

Subject: Children - TPR and adoption

Extra Copies:

Submit via email: YES

Requester's email: Sen.Lazich@legis.state.wi.us

Carbon copy (CC:) to:

---

#### Pre Topic:

No specific pre topic given

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#### Topic:

Permanency planning for and placement of child who has sibling who has been adopted or placed for adoption

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#### Instructions:

See Attached--require a permanency plan for a child to include a statement as to the availability of a placement in the home of an adoptive parent or proposed adoptiveparent of a sibling of the child and for the agency and to consider such a placement before placing the child for adoption.

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#### Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	gmalaise 03/08/2006	jdye 03/08/2006		_____			
/1			pgreensl 03/08/2006	_____	mbarman 03/08/2006	mbarman 03/08/2006	
/2	gmalaise	kfollett	chaugen	_____	lnorthro	lnorthro	

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	03/08/2006	03/08/2006	03/08/2006	_____	03/08/2006	03/08/2006	

FE Sent For:

<END>

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See Attached--require a permanency plan for a child to include a statement as to the availability of a placement in the home of an adoptive parent or proposed adoptive parent of a sibling of the child and for the agency and to consider such a placement before placing the child for adoption.

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<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	gmalaise 03/08/2006	jdye 03/08/2006					
/1		12/5f 3/8	pgreensl 03/08/2006	OK 3-8 KF	mbarman 03/08/2006	mbarman 03/08/2006	

FE Sent For:

**<END>**

## 2005 DRAFTING REQUEST

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Submit via email: YES

Requester's email: Sen.Lazich@legis.state.wi.us

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#### Pre Topic:

No specific pre topic given

---

#### Topic:

Permanency planning for and placement of child who has sibling who has been adopted or placed for adoption

---

#### Instructions:

See Attached--require a permanency plan for a child to include a statement as to the availability of a placement in the home of an adoptive parent or proposed adoptiveparent of a sibling of the child and for the agency and to consider such a placement before placing the child for adoption.

---

#### Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	gmalaise	1 3/8 jld	3/8 PK	3/8 PK/MS			

FE Sent For:

<END>

GMM

**Malaise, Gordon**

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**From:** Malaise, Gordon  
**Sent:** Tuesday, March 07, 2006 11:39 AM  
**To:** Beard, Paul  
**Subject:** SB 606 Relating to Adoption of Children Who Have Siblings Who Have Been Adopted

Paul:

You will have to send s0629/1 back for redrafting because as drafted the draft does not accomplish any change from current law.

Specifically, s. 48.38 (4) (bm) requires a child's permanency plan to include a statement as to the availability of a placement with a relative of the child and s. 48.38 (4) (br), as created by s0629/1, requires a child's permanency plan to include a statement as to the availability of a placement with a sibling of the child. Section 48.02 (15), however, includes in the definition of "relative" a brother or sister, whether by blood, marriage, or adoption. As such, because siblings are already included in the definition of relative, s0629/1 does not effect any substantive change in current law.

Accordingly, what you actually meant to say in s. 48.38 (4) (br) was that a child's permanency plan must include a statement as to the availability of a placement with an *adoptive parent or proposed adoptive parent* of a sibling of the child, which is more in line with the original intent of SB 606.

So, please return the stripes for s0629/1 and we will get this fixed up for you.

Gordon M. Malaise  
Senior Legislative Attorney  
Legislative Reference Bureau



State of Wisconsin  
2005 - 2006 LEGISLATURE

LRBs0629/1  
RPN&GMM:jld:rs

DN:IE

Wed 3/8 AM if possible

2  
RNP  
+ KIF

SENATE SUBSTITUTE AMENDMENT,  
TO 2005 SENATE BILL 606

✓ 1

AN ACT <sup>Regenerate</sup> to create 48.38 (4) (br) of the statutes; relating to: placement for adoption. <sup>of a child</sup>

~~with an adoptive parent or proposed adoptive parent of a sibling of the child~~

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

3

SECTION 1. 48.38 (4) (br) of the statutes is created to read:

4

48.38 (4) (br) A statement as to the availability of a safe and appropriate

5

placement with a fit and willing sibling of the child and, if a decision is made not to

✓ 6

place the child with an available sibling, a statement as to why placement with the

7

sibling is not safe or appropriate.

8

SECTION 2. Initial applicability.

9

Fix component

(1) This act first applies to permanency plans <sup>prepared</sup> written on the effective date of this subsection.

10

11

(END)

(C) PERMANENCY PLANS; PLACEMENT WITH ADOPTED SIBLING.  
The treatment of sections 48.38(4)(br) and 938.38(4)(br) of the statutes

who is identified in the child's permanency plan, which is a plan designed to ensure that the child quickly <sup>attains</sup> a placement or home providing long-term stability, or who is otherwise known by ~~DHFS, the county department, or the child welfare agency~~

## 2005 SENATE BILL 606

February 20, 2006 - Introduced by Senators LAZICH, DARLING, A. LASEE and ROESSLER, cosponsored by Representatives STONE, VOS, F. LASEE, VAN ROY and KRAWCZYK. Referred to Committee on Health, Children, Families, Aging and Long Term Care.

- 1 AN ACT *to amend* 48.833; and *to create* 48.834 of the statutes; **relating to:**
- 2 placement for adoption of a child with a sibling who has been adopted or has
- 3 been placed for adoption.

### *Analysis by the Legislative Reference Bureau*

Under current law, the Department of Health and Family Services (DHFS), a county department of human services or social services (county department), or a child welfare agency may place a child for adoption in a licensed foster home without an order of the court assigned to exercise jurisdiction under the Children's Code if DHFS, the county department, or the child welfare agency is the guardian of the child or makes the placement at the request of another agency that is the guardian of the child. Current law requires DHFS, a county department, or a child welfare agency, before placing a child for adoption, to consider the availability of a placement for adoption with a relative of the child.

This ~~bill~~ requires DHFS, a county department, or a child welfare agency, before placing for adoption a child who has a sibling who has been adopted or has been placed for adoption, ~~to request the agency that investigated the adoptive placement of the sibling or is investigating the proposed adoptive placement of the sibling to investigate the placement of the sibling to determine whether that placement is suitable for the child and, if the investigating agency indicates that the placement is suitable for the child, to place the child for adoption in that placement.~~

to include in a child's permanency plan a statement as to the availability of a safe and appropriate placement for the child with a willing adoptive parent or proposed adoptive parent of a sibling of the child and

Substitute amendment



LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

Inset 1-2  
cont

for  
to consider the availability of a placement for adoption with  
adoptive parent or  
an adoptive parent or proposed adoptive parent of a sibling of  
child  
the child who is identified in the child's permanency plan  
or who is otherwise known by DHFS, the county department, or  
the child welfare agency. ✓

Cont &amp; m. 2)

**SENATE BILL 606**

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

SECTION 1. 48.833 of the statutes is amended to read:

**48.833 Placement of children for adoption by the department, county departments, and child welfare agencies.** The department, a county department under s. 48.57 (1) (e) or (hm), or a child welfare agency licensed under s. 48.60 may place a child for adoption in a licensed foster home or a licensed treatment foster home without a court order if the department, county department under s. 48.57 (1) (e) or (hm) or the, or child welfare agency is the guardian of the child or makes the placement at the request of another agency which that is the guardian of the child. Before placing a child for adoption under this section, the department, county department or child welfare agency making the placement shall consider the availability of a placement for adoption with a relative of the child who is identified in the child's permanency plan under s. 48.38 or 938.38 or who is otherwise known by the department, county department or child welfare agency. When a child is placed under this section in a licensed foster home or a licensed treatment foster home for adoption, the department, county department, or child welfare agency making the placement shall enter into a written agreement with the proposed adoptive parent, which shall state the date on which the child is placed in the licensed foster home or licensed treatment foster home for adoption by the proposed adoptive parent.

SECTION 2. 48.834 of the statutes is created to read:



## SENATE BILL 606

**48.834** <sup>✓</sup> Placement of children with relatives or siblings for adoption by the department, county departments, and child welfare agencies. (1)

PLACEMENT WITH RELATIVES. Before placing a child for adoption under s. 48.833, the department, county department under s. 48.57 (1) (e) or (hm), or child welfare agency making the placement shall consider the availability of a placement for adoption with a relative of the child who is identified in the child's permanency plan under s. 48.38 or 938.38 or who is otherwise known by the department, county department, or child welfare agency.

(2) PLACEMENT WITH SIBLINGS. Before placing for adoption under s. 48.833 a child who has a sibling who has been adopted or has been placed for adoption, the department, county department under s. 48.57 (1) (e) or (hm), or child welfare agency making the placement shall request the agency that investigated the adoptive placement of the sibling or is investigating the proposed adoptive placement of the sibling to investigate the placement of the sibling to determine whether that placement is suitable for the child. If that agency indicates that the placement of the sibling is suitable for the child, the department, county department, or child welfare agency shall place the child for adoption under s. 48.833 in that placement.

~~Section 3. Initial applicability.~~

(2) (1) PLACEMENT OF CHILDREN WITH SIBLINGS FOR ADOPTION. This act first applies to a child who is placed for adoption under section 48.833 of the statutes, as affected by this act, on the effective date of this subsection.

consider the availability of a placement for adoption with an adoptive parent or proposed adoptive parent of a sibling of the child who is identified in the child's permanency plan under s. 48.38 or 938.38 or who is otherwise known by the department, county department, or child welfare agency

Insert 1-7  
cont

(hr)

Created

Section #. 938.38 (4) ~~(hr)~~ of the statutes is amended to read:

(hr)

adoptive parent or proposed adoptive parent of a sibling

938.38 (4) ~~(hr)~~ A statement as to the availability of a safe and appropriate placement with a fit and willing ~~relative~~ of the juvenile and, if a decision is made not to place the juvenile with an available ~~relative~~, a statement as to why placement with the ~~relative~~ is not safe or appropriate.

History: 1995 a. 77, 275, 352; 1997 a. 35, 237, 296; 1999 a. 9; 2001 a. 59, 69, 109; 2003 a. 321.

adoptive parent or proposed adoptive parent of a sibling

(ed of insert)

Insert 1-10

#

(2)

PLACEMENT OF CHILDREN WITH SIBLINGS FOR ADOPTION.

The treatment of sections 48.833 and 48.834<sup>✓</sup> of the statutes

first applies to a child who is placed for adoption

under section 48.833 of the statutes, as affected by this act,

on the effective date of this subsection<sup>✓</sup>

(end & met)

NOTE

Senator Lazich:

Section 48.38 (4)(b) requires a child's permanency plan to include a statement as to the availability of a safe and appropriate placement with a fit and willing relative of the child.

Section 48.38 (4)(b), as created by LRB50629/1, requires a child's permanency plan to include a statement as to the availability of a safe and appropriate placement with a fit and willing sibling of the child. Section 48.02 (15), however, includes in the definition of "relative" a brother or sister, whether by blood, marriage, or adoption. As such, because a sibling is already defined as a relative, LRB50629/1 does not effect any substantive change in current law.

Accordingly, this redraft requires a child's permanency plan to include a statement as to the availability of a placement with a fit and willing

① adoptive parent or proposed adoptive parent of a sibling of the child,



STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

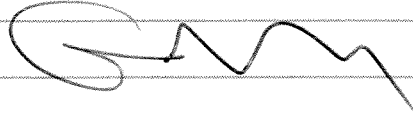
Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

which is more in line with the original intent of SB-606.  
==







State of Wisconsin  
2005 - 2006 LEGISLATURE

50645/1  
LRBs0629/4  
RPN&GMMld&kjipg

Today - 3/9

the change except p.2

stays

SENATE SUBSTITUTE AMENDMENT,

TO 2005 SENATE BILL 606

DNOR

Regen

- 1 AN ACT *to amend* 48.833; and *to create* 48.38 (4) (br), 48.834 and 938.38 (4) (br)  
2 of the statutes; **relating to:** placement of a child for adoption with an adoptive  
3 parent or proposed adoptive parent of a sibling of the child.

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*Analysis by the Legislative Reference Bureau*

Under current law, the Department of Health and Family Services (DHFS), a county department of human services or social services (county department), or a child welfare agency may place a child for adoption in a licensed foster home without an order of the court assigned to exercise jurisdiction under the Children's Code if DHFS, the county department, or the child welfare agency is the guardian of the child or makes the placement at the request of another agency that is the guardian of the child. Current law requires DHFS, a county department, or a child welfare agency, before placing a child for adoption, to consider the availability of a placement for adoption with a relative of the child who is identified in the child's permanency plan, which is a plan designated to ensure that the child quickly attains a placement or home providing a long-term stability, or who is otherwise known by DHFS, the county department, or the child welfare agency.

This substitute amendment requires DHFS, a county department, or a child welfare agency to include in a child's permanency plan to a statement as to the availability of a safe and appropriate placement for the child with a fit and willing adoptive parent or proposed adoptive parent of a sibling of the child and, before



placing for adoption a child who has a sibling who has been adopted or has been placed for adoption, to consider the availability of a placement for adoption with an adoptive parent or proposed adoptive parent of a sibling of the child who is identified in the child's permanency plan or who is otherwise known by DHFS, the county department, or the child welfare agency.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

**SECTION 1.** 48.38 (4) (br) of the statutes is created to read:

48.38 (4) (br) A statement as to the availability of a safe and appropriate placement with a fit and willing adoptive parent or proposed adoptive parent of a sibling of the child and, if a decision is made not to place the child with an available adoptive parent or proposed adoptive parent of a sibling, a statement as to why placement with the adoptive parent or proposed adoptive parent of a sibling is not safe or appropriate.

**SECTION 2.** 48.833 of the statutes is amended to read:

**48.833 Placement of children for adoption by the department, county departments, and child welfare agencies.** The department, a county department under s. 48.57 (1) (e) or (hm), or a child welfare agency licensed under s. 48.60 may place a child for adoption in a licensed foster home or a licensed treatment foster home without a court order if the department, county department ~~under s. 48.57 (1) (e) or (hm) or the,~~ or child welfare agency is the guardian of the child or makes the placement at the request of another agency ~~which~~ that is the guardian of the child. ~~Before placing a child for adoption under this section, the department, county department or child welfare agency making the placement shall consider the availability of a placement for adoption with a relative of the child who is identified in the child's permanency plan under s. 48.38 or 938.38 or who is otherwise known by the department, county department or child welfare agency.~~ When a child is

1 placed under this section in a licensed foster home or a licensed treatment foster  
2 home for adoption, the department, county department, or child welfare agency  
3 making the placement shall enter into a written agreement with the proposed  
4 adoptive parent, which shall state the date on which the child is placed in the licensed  
5 foster home or licensed treatment foster home for adoption by the proposed adoptive  
6 parent.

7 **SECTION 3.** 48.834 of the statutes is created to read:

8 **48.834 Placement of children with relatives or siblings for adoption by**  
9 **the department, county departments, and child welfare agencies. (1)**

10 PLACEMENT WITH RELATIVES. Before placing a child for adoption under s. 48.833, the  
11 department, county department under s. 48.57 (1) (e) or (hm), or child welfare agency  
12 making the placement shall consider the availability of a placement for adoption  
13 with a relative of the child who is identified in the child's permanency plan under s.  
14 48.38 or 938.38 or who is otherwise known by the department, county department,  
15 or child welfare agency.

16 **(2) PLACEMENT WITH SIBLINGS.** Before placing for adoption under s. 48.833 a  
17 child who has a sibling who has been adopted or has been placed for adoption, the  
18 department, county department under s. 48.57 (1) (e) or (hm), or child welfare agency  
19 making the placement shall consider the availability of a placement for adoption  
20 with an adoptive parent or proposed adoptive parent of a sibling of the child who is  
21 identified in the child's permanency plan under s. 48.38 or 938.38 or who is otherwise  
22 known by the department, county department, or child welfare agency.

23 **SECTION 4.** 938.38 (4) (br) of the statutes is created to read:

24 938.38 (4) (br) A statement as to the availability of a safe and appropriate  
25 placement with a fit and willing adoptive parent or proposed adoptive parent of a

1 sibling of the juvenile and, if a decision is made not to place the juvenile with an  
2 available adoptive parent or proposed adoptive parent of a sibling, a statement as to  
3 why placement with the adoptive parent or proposed adoptive parent of a sibling is  
4 not safe or appropriate.

5 **SECTION 5. Initial applicability.**

6 (1) PERMANENCY PLANS; PLACEMENT WITH ADOPTED SIBLING. The treatment of  
7 sections 48.48 (4) (br) and 938.38 (4) (br) of the statutes first applies to permanency  
8 plans prepared on the effective date of this subsection.

9 (2) PLACEMENT OF CHILDREN WITH SIBLINGS FOR ADOPTION. The treatment of  
10 sections 48.833 and 48.834 of the statutes first applies to a child who is placed for  
11 adoption under section 48.833 of the statutes, as affected by this act, on the effective  
12 date of this subsection.

13 (END)

↓  
NOTE

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRBs0629/2dn  
GMM:jld:pg

(50645/124)

March 7, 2006 } new date

stays

substitute amendment, which

SSA-1 to SB-606

Senator Lazich:

Section 48.38 (4) (bm) requires a child's permanency plan to include a statement as to the availability of a safe and appropriate placement with a fit and willing relative of the child. Section 48.38 (4) (br), as created by ~~LRB-0629/1~~, requires a child's permanency plan to include a statement as to the availability of a safe and appropriate placement with a fit and willing sibling of the child. Section 48.02 (15), however, includes in the definition of "relative" a brother or sister, whether by blood, marriage, or adoption. As such, because a sibling is already defined as a relative, ~~LRB-0629/1~~, does not effect any substantive change in current law.

Accordingly, this redraft requires a child's permanency plan to include a statement as to the availability of a placement with a fit and willing *adoptive parent or proposed adoptive parent* of a sibling of the child, which is more in line with the original intent of SB-606.

, should be introduced  
and taken up instead  
of SSA-1

Gordon M. Malaise  
Senior Legislative Attorney  
Phone: (608) 266-9738  
E-mail: gordon.malaise@legis.state.wi.us

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRBs0645/1dn  
GMM:jld&kjf:pg

March 8, 2006

Senator Lazich:

Section 48.38 (4) (bm) requires a child's permanency plan to include a statement as to the availability of a safe and appropriate placement with a fit and willing relative of the child. Section 48.38 (4) (br), as created by SSA 1 to SB-606, requires a child's permanency plan to include a statement as to the availability of a safe and appropriate placement with a fit and willing sibling of the child. Section 48.02 (15), however, includes in the definition of "relative" a brother or sister, whether by blood, marriage, or adoption. As such, because a sibling is already defined as a relative, SSA 1 to SB-606, does not effect any substantive change in current law.

Accordingly, this substitute amendment, which requires a child's permanency plan to include a statement as to the availability of a placement with a fit and willing *adoptive parent or proposed adoptive parent* of a sibling of the child and which is more in line with the original intent of SB-606, should be introduced and taken up instead of SSA 1.

Gordon M. Malaise  
Senior Legislative Attorney  
Phone: (608) 266-9738  
E-mail: [gordon.malaise@legis.state.wi.us](mailto:gordon.malaise@legis.state.wi.us)



State of Wisconsin  
2005 - 2006 LEGISLATURE

Today! 3/8  
(or 8:00 AM 3/9)

LRBs0645/1  
RPN&GMM:jld&kjf:pg

Stays (2)

SENATE SUBSTITUTE AMENDMENT ,  
TO 2005 SENATE BILL 606

Regen

- 1 AN ACT *to amend* 48.833; and *to create* 48.38 (4) (br), 48.834 and 938.38 (4) (br)  
2 of the statutes; **relating to:** placement of a child for adoption with an adoptive  
3 parent or proposed adoptive parent of a sibling of the child.

---

***Analysis by the Legislative Reference Bureau***

Under current law, the Department of Health and Family Services (DHFS), a county department of human services or social services (county department), or a child welfare agency may place a child for adoption in a licensed foster home without an order of the court assigned to exercise jurisdiction under the Children's Code if DHFS, the county department, or the child welfare agency is the guardian of the child or makes the placement at the request of another agency that is the guardian of the child. Current law requires DHFS, a county department, or a child welfare agency, before placing a child for adoption, to consider the availability of a placement for adoption with a relative of the child who is identified in the child's permanency plan, which is a plan designed to ensure that the child quickly attains a placement or home providing long-term stability, or who is otherwise known by DHFS, the county department, or the child welfare agency.

This substitute amendment requires DHFS, a county department, or a child welfare agency to include in a child's permanency plan a statement as to the availability of a safe and appropriate placement for the child with a fit and willing adoptive parent or proposed adoptive parent of a sibling of the child and, before

foster parent,

placing for adoption a child who has a sibling who has been adopted or has been placed for adoption, to consider the availability of a placement for adoption with an adoptive parent or proposed adoptive parent of a sibling of the child who is identified in the child's permanency plan or who is otherwise known by DHFS, the county department, or the child welfare agency.

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

*foster parent, (was 3X)*

1        **SECTION 1.** 48.38 (4) (br) of the statutes is created to read:

2        48.38 (4) (br) A statement as to the availability of a safe and appropriate  
3 placement with a fit and willing adoptive parent or proposed adoptive parent of a  
4 sibling of the child and, if a decision is made not to place the child with an available  
5 adoptive parent or proposed adoptive parent of a sibling, a statement as to why  
6 placement with the adoptive parent or proposed adoptive parent of a sibling is not  
7 safe or appropriate.

8        **SECTION 2.** 48.833 of the statutes is amended to read:

9        **48.833 Placement of children for adoption by the department, county**  
10 **departments, and child welfare agencies.** The department, a county  
11 department under s. 48.57 (1) (e) or (hm), or a child welfare agency licensed under  
12 s. 48.60 may place a child for adoption in a licensed foster home or a licensed  
13 treatment foster home without a court order if the department, county department  
14 under s. 48.57 (1) (e) or (hm) or the, or child welfare agency is the guardian of the child  
15 or makes the placement at the request of another agency which that is the guardian  
16 of the child. ~~Before placing a child for adoption under this section, the department,~~  
17 ~~county department or child welfare agency making the placement shall consider the~~  
18 ~~availability of a placement for adoption with a relative of the child who is identified~~  
19 ~~in the child's permanency plan under s. 48.38 or 938.38 or who is otherwise known~~

1     ~~by the department, county department or child welfare agency.~~ When a child is  
2     placed under this section in a licensed foster home or a licensed treatment foster  
3     home for adoption, the department, county department, or child welfare agency  
4     making the placement shall enter into a written agreement with the proposed  
5     adoptive parent, which shall state the date on which the child is placed in the licensed  
6     foster home or licensed treatment foster home for adoption by the proposed adoptive  
7     parent.

8           **SECTION 3.** 48.834 of the statutes is created to read:

9           **48.834 Placement of children with relatives or siblings for adoption by**  
10          **the department, county departments, and child welfare agencies. (1)**

11          PLACEMENT WITH RELATIVES. Before placing a child for adoption under s. 48.833, the  
12          department, county department under s. 48.57 (1) (e) or (hm), or child welfare agency  
13          making the placement shall consider the availability of a placement for adoption  
14          with a relative of the child who is identified in the child's permanency plan under s.  
15          48.38 or 938.38 or who is otherwise known by the department, county department,  
16          or child welfare agency.

17          **(2) PLACEMENT WITH SIBLINGS.** Before placing for adoption under s. 48.833 a  
18          child who has a sibling who has been adopted or has been placed for adoption, the  
19          department, county department under s. 48.57 (1) (e) or (hm), or child welfare agency  
20          making the placement shall consider the availability of a placement for adoption  
21          with an adoptive parent or proposed adoptive parent of a sibling of the child who is  
22          identified in the child's permanency plan under s. 48.38 or 938.38 or who is otherwise  
23          known by the department, county department, or child welfare agency.

24          **SECTION 4.** 938.38 (4) (br) of the statutes is created to read:



-(use 3x)

938.38 (4) (br) A statement as to the availability of a safe and appropriate placement with a fit and willing adoptive parent or proposed adoptive parent of a sibling of the juvenile and, if a decision is made not to place the juvenile with an available adoptive parent or proposed adoptive parent of a sibling, a statement as to why placement with the adoptive parent or proposed adoptive parent of a sibling is not safe or appropriate.

## SECTION 5. Initial applicability.

(1) PERMANENCY PLANS; PLACEMENT WITH ADOPTED SIBLING. The treatment of sections 48.48 (4) (br) and 938.38 (4) (br) of the statutes first applies to permanency plans prepared on the effective date of this subsection.

(2) PLACEMENT OF CHILDREN WITH SIBLINGS FOR ADOPTION. The treatment of sections 48.833 and 48.834 of the statutes first applies to a child who is placed for adoption under section 48.833 of the statutes, as affected by this act, on the effective date of this subsection.

(END)